

AMENDED IN SENATE APRIL 27, 2005

SENATE BILL

No. 1097

Introduced by Senator Dunn

February 22, 2005

An act to make an appropriation in augmentation of Items 9800-001-0001, 9800-001-0494, and 9800-001-0988 of Section 2.00 of the Budget Act of 2004, relating to state employees, to take effect immediately as an appropriation for the usual and current expenses of the state.

LEGISLATIVE COUNSEL'S DIGEST

SB 1097, as amended, Dunn. State employees: State Bargaining Unit 12.

The annual Budget Act appropriates specified amounts from the General Fund, unallocated special funds, and unallocated nongovernmental cost funds for expenditure for state employee compensation.

This bill would approve the provisions of the settlement agreement entered into by the state employer and State Bargaining Unit 12 on January 25, 2005, that requires the expenditure of funds, and would provide that the provisions of that settlement agreement that requires the expenditure of funds shall become effective even if the provisions of the settlement agreement are approved by the Legislature in legislation other than the Budget Act. This bill would provide that the provisions of the settlement agreement scheduled to take effect on or after July 1, 2005, that require the expenditure of funds shall not become effective unless the funds are expressly appropriated by the Legislature.

This bill would appropriate \$9,254,000 from the General Fund, unallocated special funds, and other unallocated nongovernmental cost

funds for expenditure during the 2004-05 fiscal year for state employee compensation in augmentation of Items 9800-001-0001, 9800-001-0494, and 9800-001-0988 of Section 2.00 of the Budget Act of 2004, in accordance with the settlement agreement entered into by the state with State Bargaining Unit 12, the International Union of Operating Engineers, and approved by the Legislature.

This bill would declare that it is to take effect immediately as a statute providing an appropriation for the usual and current expenses of the state.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The provisions of the settlement agreement
2 entered into by the state employer and State Bargaining Unit 12,
3 the International Union of Operating Engineers, AFL-CIO (craft
4 and maintenance workers) on January 25, 2005, that requires the
5 expenditure of funds are hereby approved.

6 SEC. 2. The provisions of the settlement agreement
7 referenced in Section 1 that are scheduled to take effect on or
8 after July 1, 2005, and that require the expenditure of funds shall
9 not take effect unless funds are expressly appropriated by the
10 Legislature.

11 SEC. 3. The provisions of the settlement agreement
12 referenced in Section 1 that require the expenditure of funds shall
13 become effective even if the provisions of the settlement
14 agreement are approved by the Legislature in legislation other
15 than the Budget Act.

16 SEC. 4. The sum of nine million two hundred fifty-four
17 thousand dollars (\$9,254,000) is hereby appropriated for
18 expenditure during the 2004-05 fiscal year in augmentation of,
19 and for the purposes of state employee compensation as provided
20 in Items 9800-001-0001, 9800-001-0494, and 9800-001-0988 of
21 Section 2.00 of the Budget Act of 2004 (Chapter 208, Statutes of
22 2004) in accordance with (a) the settlement agreement entered
23 into by the state with State Bargaining Unit 12, the International
24 Union of Operating Engineers, and approved by the Legislature
25 pursuant to Section 1, and (b) the following schedule:

1 (1) Three million seventy-eight thousand dollars (\$3,078,000)
2 from the General Fund in augmentation of Item 9800-001-0001.

3 (2) Four million two hundred thirteen thousand dollars
4 (\$4,213,000) from unallocated special funds in augmentation of
5 Item 9800-001-0494.

6 (3) One million nine hundred sixty-three thousand dollars
7 (\$1,963,000) from other unallocated nongovernmental cost funds
8 in augmentation of Item ~~9000-001-0988~~ 9800-001-0988.

9 SEC. 5. This act makes an appropriation for the usual current
10 expenses of the state within the meaning of Article IV of the
11 Constitution and shall go into immediate effect.